

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA,)
)
v.) CASE NO. 2:06CR218-MHT
)
GEORGE HOEY MORRIS)

ORDER

Upon consideration of the defendant's Motion to Dismiss Indictment, filed on 12 October 2006 (Doc. # 8), and for good cause, it is

ORDERED that, on or before 27 October 2006, the government shall show cause why the indictment should not be dismissed as untimely. The facts presented by the defendant appear to establish that the alleged offense occurred more than five years before he was formally charged in this court via indictment on 7 September 2006 (Doc. # 1). Moreover, (1) the criminal offense, alleged to have occurred on or about 1 August 1997, was the making of a false statement in an application for a passport; and (2) there does not appear to have been a pre-existing criminal complaint against the defendant.

The motion will be deemed submitted on 28 October 2006, and thereafter, the court will proceed to enter a ruling on the motion.

DONE this 23rd day of October, 2006.

/s/ Vanzetta Penn McPherson
VANZETTA PENN MCPHERSON
UNITED STATES MAGISTRATE JUDGE

